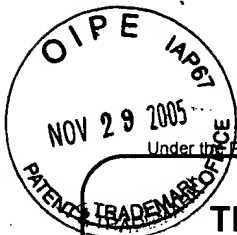


11-30-55

Handwritten initials and marks



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

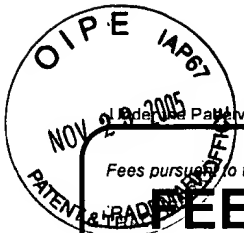
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/499,817	
	Filing Date	8 FEBRUARY 2000	
	First Named Inventor	FISCHER et al.	
	Art Unit	2642	
	Examiner Name	BING Q. BUI	
Total Number of Pages in This Submission	25	Attorney Docket Number	00EC037/78111

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): CHECK FOR \$500; CERTIFICATE OF EXPRESS MAIL (NO. EV731142232US); RETURN RECEIPT POSTCARD
<div style="border: 1px solid black; padding: 2px; min-height: 40px;">Remarks</div>		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	WELSH & KATZ, LTD.	
Signature	<i>[Handwritten Signature]</i>	
Printed name	L. FRIEDMAN	
Date	29 NOVEMBER 2005	Reg. No. 37,135

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as EXPRESS mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:		
Signature	<i>Carl Stanley</i>	
Typed or printed name	CARL STANLEY	Date 29 NOVEMBER 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FREE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

Application Number	09/499,817
Filing Date	8 FEBRUARY 2000
First Named Inventor	FISCHER et al.
Examiner Name	BING Q. BUI
Art Unit	2642
Attorney Docket No.	00EC037/78111

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 23-0920 Deposit Account Name: WELSH & KATZ, LTD.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
--------------	--------------	----------	---------------

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
---------------	--------------	----------	---------------

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
--------------	--------------	--	----------	---------------

- 100 = _____ / 50 = _____ (round up to a whole number) x _____ = _____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): APPEAL BRIEF**Fees Paid (\$)**

\$500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 37,135	Telephone (312) 655-1500
Name (Print/Type)	L. FRIEDMAN		Date 29 NOVEMBER 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT
DEC037/78111

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants: Fischer et al.)
)
Title: Providing Customer Data to an)
Automatic Call Distribution System)
Agent)
)
Serial No.: 09/499,817)
)
Filed: 8 February 2000)
)
Primary Examiner: Bing Q. Bui)
)
Art Unit: 2642)
_____)

APPELLANTS' BRIEF ON APPEAL

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir or Madam:

This is an Appeal from the Final Office Action mailed 16 June 2005, finally rejecting all of the claims. There was an after-final reply without amendment on 9 September 2005, an interview with the Primary Examiner on 26 September 2005, and an Advisory Action on 27 September 2005. A Notice of Appeal, a petition for a one-month extension, and applicable fees were submitted on 30 September 2005.

The fee for filing an appellate brief is enclosed. Should there be any deficiency in fees in connection with this Appeal, the Commissioner is respectfully requested to and is hereby authorized to charge any such deficiency in fees to Deposit Account 23-0920.

12/01/2005 DTESSEM1 00000036 09499817

01 FC:1402

500.00 OP

1. REAL PARTY IN INTEREST.

The real parties in interest are Aspect Software, Inc. and its subsidiary Rockwell Electronic Commerce Technologies LLC, both at 300 Bauman Court, Wood Dale, Illinois 60191.

2. RELATED APPEALS AND INTERFERENCES.

There are no appeals, interferences, or judicial proceedings related to, directly affecting or affected by, or having a bearing on the Board's decision in the captioned Appeal.

3. STATUS OF CLAIMS.

Claims 1-25 are currently pending, have been finally rejected, and are being appealed.

4. STATUS OF AMENDMENTS.

There were no amendments filed subsequent to the final rejection.

5. SUMMARY OF CLAIMED SUBJECT MATTER.

a. Independent Claim 1

Claim 1 claims a method of providing data to an agent associated with an automatic call distribution (ACD) system, where the data pertain to a particular customer contact that has been assigned to that agent. *See e.g.* 5:18-19. A universal resource locator (URL) is configured by the ACD system 12 (Fig. 1) and provided to a browser of the agent. *See e.g.* 9:11-14, Fig. 2. A server 14 (Fig. 1) accesses the URL in response to a request from the agent's browser. *See e.g.* 8:21-24. A web page corresponding with the URL is provided to the browser, and the web page includes the data pertaining to the particular customer. *See e.g.* 3:11-16, Fig. 2.

b. Independent Claim 14

Similarly, claim 14 claims a computer system for providing data to an ACD agent, where the data pertain to a particular customer contact that has been assigned to that agent. *See e.g.* 5:18-19. The computer system comprises an ACD system 12 (Fig. 1) capable of configuring a URL (*see e.g.* 9:11-13), a server 14 (Fig. 1) capable of providing a web page to a browser where the web page corresponds with the URL and includes the data pertaining to the particular customer (*see e.g.* 3:11-16, Fig. 2), and an agent station 13 (Fig. 1) coupled with the ACD system 12 and having a browser capable of accessing the URL at the server 14 (*see e.g.* 3:11-16, Fig. 2).

c. Independent Claim 20

Similarly, claim 20 claims a computer system for providing data to an ACD agent, where the data pertain to a particular customer contact that has been assigned to that agent. *See e.g.* 5:18-19. The computer system comprises a server 14 accessible through a computer network (Fig. 1), an agent station 13 having means for accessing a URL at the server 14 (standard browser, *see e.g.* 5:1-8, 8:19-24), means for the ACD system 14 to configure the URL (ACD is programmed to configure URL in accordance with the requirements of the server, 9:11-13, *see also* 5:18 – 8:8), and means for the server 14 to provide a web page to the agent station 13 where the web page corresponds with the URL and includes the data pertaining to the particular customer (server in conjunction with standard browser, *see e.g.* 5:1-8, 8:19-26, 3:11-16, Fig. 2).

d. Dependent Claim 22 (argued separately below)

Claim 22 depends from claim 20 and also claims a means for the ACD 12 to attach information to the URL (ACD is programmed to attach information to URL, *see e.g.* 7:12-15, Fig. 2).

e. Independent Claim 25

Claim 25 claims a method of providing data to an agent associated with an ACD system, where the data pertain to a particular customer contact that has been assigned to that agent. *See e.g.* 5:18-19. The ACD system 12 (Fig. 1) provides a URL to a browser of the agent. *See e.g.* 9:11-14, Fig. 2. The URL is configured based on information about the contact available to the ACD. *See e.g.* 5:18 – 8:8, 9:11-13. Information is attached to the URL before providing it to the browser. *See e.g.* 7:12-15, Fig. 2. The information attached to the URL includes contact processing information including at least one of the following: type of customer contact (*see* 1:9-16), identification of the agent, and treatment of the contact by the ACD. *See e.g.* 7:6-11, Fig. 2. The information attached to the URL includes at least one of certain specified types of contact-derived information. *See e.g.* 5:24 – 7:5, 7:12-15, Fig. 2. A server 14 (Fig. 1) accesses the URL in response to a request from the agent's browser. *See e.g.* 8:21-24. A web page corresponding with the URL is provided to the browser, and the web page includes the data pertaining to the particular customer. *See e.g.* 3:11-16, Fig. 2. At least one database 15 (Fig. 1) is accessed via the server 14 (Fig. 1) to obtain some of the data for inclusion in the web page. *See e.g.* 9:8-11, 8:9-18, 5:10-11. Some of the data in the web page is obtained based on some information attached to the URL by the ACD, and some of the

data in the web page includes some information attached to the URL by the ACD. *See e.g.* 7:19 – 8:2. The web page is displayed to the agent. *See e.g.* 8:1-2, 8:24-26.

6. GROUND OF REJECTION.

Claims 1-25 stand rejected under 35 U.S.C. §102(e) as being anticipated by Bateman *et al.* (US 6,311,231). This ground of rejection is presented for review on appeal.

7. ARGUMENT – BATEMAN DOES NOT ANTICIPATE ANY OF THE CLAIMS.

a. Claims 1-3, 11-15, 17, 19-21, 23 and 24

As stated in the preamble of independent claims 1, 14 and 20, each of the claims concerns providing data, relating to a customer contact with an automatic call distribution (ACD) system, to an ACD agent. Among other limitations, each of the claims requires that ACD system to configure (or to be capable of configuring) a universal resource locator (URL), requires that the data provided to that ACD agent be included in a web page corresponding with that URL, and requires that data in that web page to include information about that customer. (Claims 1, 14 and 20). Bateman does not disclose these limitations.

- 1) **The Bateman web page corresponding with the Bateman URL does not include information about the Bateman customer, as required by the claims.**

The Bateman URL is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21 (“The URL which the customer was viewing (prior to selecting help) is automatically filled in to indicate the page from which help was requested, but the customer also has the option of providing a different URL.”); Bateman 12:11-13 (“agent computer is further provided with a URL

indicating from which page the customer has requested help”). That Bateman web page would contain information about the organization’s products or services rather than information that relates to the particular customer. *See e.g.* Bateman 5:9-11 (“The URL provides a snapshot indication of where in the hypertext environment of the organization’s WWW services the user is at a given time.”); Bateman 5:52-54 (“The WWW server 28... is equipped with information pertaining to an organizations products and services, directory information, etc.”).

The web page corresponding with the URL of independent claims 1, 14, and 20 is required to include information about the customer. However, the Bateman web page includes information about the organization’s products or services, etc., and not information about the particular customer (as discussed above). In effect, Bateman is directed to letting the agent see the page of an organization’s catalog concerning which a customer is seeking assistance, and does not disclose sending a URL to the agent’s computer that corresponds to a web page with information that is specifically about that customer. A Bateman web page corresponding with a Bateman URL is the same web page, and includes the same information, regardless of which customer is looking at it and seeking assistance. If two different customers seek assistance about the same web page, the same URL will be used and the same web page will be displayed for each of those two different customers.

Bateman does disclose obtaining information about the customer, including CLID (a telephone number from which the customer is calling). However, that information is in addition to and separate from the Bateman URL. That customer information in Bateman is not included in a web page corresponding with the Bateman URL.

2) **The Bateman URL is not configured by the Bateman ACD system, as required by the claims.**

The Final Office Action (16 June 2005) asserted (in ¶2) that the Bateman WWW server configures a URL and provides it to the calling customer. In fact, it is the customer's computer that determines and supplies the URL of the web page being viewed by the customer. *See e.g.* Bateman 3:23-24 ("the customer computer automatically preparing a help request form comprising a network address"). The Bateman customer also has the option of providing a different URL. *See e.g.* Bateman 6:17-21 ("The URL which the customer was viewing (prior to selecting help) is automatically filled in to indicate the page from which help was requested, but the customer also has the option of providing a different URL."). The Bateman URL is not configured by an ACD system.

Even if *arguendo* the Bateman external web server were construed as configuring the Bateman URL, Bateman does not disclose that URL being configured by an ACD system as required by the claims. An ACD system (as used in the captioned application and in general in the pertinent art) is a transaction processing system used to distribute contacts with an organization (such as telephone calls) among a group of agents of the organization. (*See e.g.* page 1 of the captioned application). The Office Action erroneously asserted that the Bateman ACD system also included the Bateman external web server. However, Bateman distinguishes between its WWW server systems 28 (*see e.g.* Bateman 5:52-65), and its call center systems 24 (*see e.g.* Bateman 5:33-51) which are used to handle connections between customer premises 2 and agent stations 12. Bateman treats these as four separate components: web server systems 28, call center systems 24, customer premises 2, and agent stations 12. (*See e.g.* Bateman 4:57-59,

Figure 1). The Bateman URL is not configured by an ACD system, even if *arguendo* the Bateman external web server were construed as configuring the Bateman URL.

3) Claims 2, 3 and 11-13 each depends from independent claim 1. Claims 15, 17 and 19 each depends from independent claim 14. Claims 21, 23 and 24 each depends from independent claim 20.

For the above reasons, Bateman does not anticipate claims 1-3, 11-15, 17, 19-21, 23 and 24.

b. Claim 25

As stated in the preamble of independent claim 25, it concerns providing data, relating to a customer contact with an automatic call distribution (ACD) system, to an ACD agent. Bateman does not disclose the following limitations of claim 25:

1) **The Bateman URL is not configured based on information about the customer contact available to the ACD**, as required by claim 25. As discussed above, the Bateman URL is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21, 12:11-13. That Bateman web page contains information about the organization's products or services, and not information about the particular customer. *See e.g.* Bateman 5:9-11, 5:52-54. The URL depends on the web page and not on information about the customer contact. Furthermore, as discussed above, the Bateman URL is configured by the customer or the customer's computer. *See e.g.* Bateman 3:23-24, 6:17-21. Even if *arguendo* the Bateman external web server were construed as configuring the Bateman URL (as asserted in the Final Office Action), the Bateman URL is configured in order to provide it to the ACD and is not based on information about the customer contact

available to the ACD. The Bateman HTML form 54 is filled in (including the URL) at the customer's computer, and only then sent on for the ACD system to set up a connection between the customer and an agent. *See e.g.* Bateman 6:14-21, Figures 1 and 2.

2) **Contact processing information is not attached to the Bateman URL.** Claim 25 requires attaching information to the URL before providing the URL to the browser, and it requires attaching contact processing information to the URL including at least one of the following: type of customer contact, identification of the agent, and treatment of the contact by the ACD. The "type" is the type of communication, such as e-mail, facsimile, video, web-site inquiry, public switched telephone network calls, voice path based on packet data transferred through a computer network, etc. *See e.g.* 1:9-16 of the captioned application. The treatment of the contact may, for example, include a particular programmed script used with that contact. *See e.g.* 7:9-10 of the captioned application.

The URL is a string expression that at least constitutes a computer network address. *See e.g.* 7:15-17 of the captioned application. The URL provided to the agent's computer in Bateman is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21, 12:11-13. Bateman does not disclose attaching to that URL a type of customer contact, an identification of the agent, or a treatment of the contact by the ACD – as required by claim 25.

3) **Contact-derived information is not attached to the Bateman URL.** Claim 25 requires attaching one of certain specified types of contact-derived information to the URL. Bateman does disclose obtaining at least one of those types of

contact-derived information, but it does not disclose attaching that information to the URL as required by claim 25.

4) **The Bateman web page corresponding with the Bateman URL does not include data relating to the customer contact**, as required by claim 25. As discussed above, the Bateman URL is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21, 12:11-13. That Bateman web page contains information about the organization's products or services, and not information about the particular customer. *See e.g.* Bateman 5:9-11, 5:52-54. That web page is the same web page, and includes the same information, regardless of which customer is looking at it and seeking assistance. If two different customers seek assistance about the same web page, the same URL will be used and the same web page will be displayed for each of those two different customers.

5) **Data in the Bateman web page is not obtained based on information attached to the URL by the ACD**, as required by claim 25. As discussed above, the Bateman URL is configured by the customer or the customer's computer. *See e.g.* Bateman 3:23-24, 6:17-21. The Bateman URL is configured in order to provide it to the ACD. The Bateman HTML form 54 is filled in (including the URL) at the customer's computer, and only then sent on for the ACD system to set up a connection between the customer and an agent. *See e.g.* Bateman 6:14-21, Figures 1 and 2. The Bateman ACD does not attach anything to the URL.

6) **The Bateman web page does not include any information attached to the URL by the ACD**, as required by claim 25. As discussed above, the

Bateman ACD does not attach anything to the URL, so there is no such information that could be included on the Bateman web page corresponding with the Bateman URL.

7) For each of the above reasons, Bateman does not anticipate independent claim 25.

c. Claim 4

Claim 4 depends indirectly from claim 1, and requires attaching contact processing information to the URL including at least one of the following: type of customer contact, identification of the agent, and treatment of the contact by the ACD. As mentioned above, the meaning of those terms is explained in the captioned application. As discussed above, the URL provided to the agent's computer in Bateman is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21, 12:11-13. Bateman does not disclose attaching to that URL a type of customer contact, an identification of the agent, or a treatment of the contact by the ACD – as required by claim 4. For the above reasons and because claim 4 depends from claim 1, Bateman does not anticipate claim 4.

d. Claim 5

Claim 5 depends indirectly from claim 1, and requires attaching one of certain specified types of contact-derived information to the URL. Bateman does disclose obtaining at least one of those types of contact-derived information, but it does not disclose attaching that information to the URL as required by claim 5. For the above reasons and because claim 5 depends from claim 1, Bateman does not anticipate claim 5.

e. Claim 6

Claim 6 depends from claim 1, and requires the web page to include information attached to the URL by the ACD. Bateman does not disclose that the web page includes any information that was in the URL, and the Bateman ACD does not attach any information to the Bateman URL. As discussed above, the Bateman URL is configured by the customer or the customer's computer. *See e.g.* Bateman 3:23-24, 6:17-21. The Bateman URL is configured in order to provide it to the ACD. The Bateman HTML form 54 is filled in (including the URL) at the customer's computer, and only then sent on for the ACD system to set up a connection between the customer and an agent. *See e.g.* Bateman 6:14-21, Figures 1 and 2. The Bateman ACD does not attach anything to the URL. For the above reasons and because claim 6 depends from claim 1, Bateman does not anticipate claim 6.

f. Claim 7

Claim 7 depends from claim 1, and requires selecting the URL based on information about the customer contact available to the ACD. As discussed above, the Bateman URL is associated with a web page of the organization from which the customer is seeking assistance. *See e.g.* Bateman 6:17-21, 12:11-13. That Bateman web page contains information about the organization's products or services, and not information about the particular customer. *See e.g.* Bateman 5:9-11, 5:52-54. The URL depends on the web page and not on information about the customer contact. Furthermore, as discussed above, the Bateman URL is selected by the customer or the customer's computer. *See e.g.* Bateman 3:23-24, 6:17-21. The Bateman URL is provided to the ACD and is not based on information about the customer contact available to the ACD.

The Bateman HTML form 54 is filled in (including the URL) at the customer's computer, and only then sent on for the ACD system to set up a connection between the customer and an agent. *See e.g.* Bateman 6:14-21, Figures 1 and 2. For the above reasons and because claim 7 depends from claim 1, Bateman does not anticipate claim 7.

g. Claims 8 and 18

Claim 8 depends from independent claim 1, and claim 18 depends from independent claim 14. Claims 8 and 18 each requires obtaining (or being capable of obtaining) data in the web page based on information attached to the URL by the ACD. As discussed above, the Bateman ACD does not attach anything to the URL. For the above reasons and because claim 8 depends from claim 1 (and because claim 18 depends from claim 14), Bateman does not anticipate claims 8 and 18.

h. Claim 9

Claim 9 depends from claim 1, and requires sending the URL to ACD console software of the agent, and requires the ACD console software to provide the URL to the browser. Bateman does not disclose that any ACD console software of the agent plays any part in the process, as required by claim 9. For the above reasons and because claim 9 depends from claim 1, Bateman does not anticipate claim 9.

i. Claim 10

Claim 10 depends from claim 1, and requires the ACD to provide the URL directly to the browser. Bateman does not disclose whether the ACD provides the URL directly to the agent's browser as required by claim 10. For the above reasons and because claim 10 depends from claim 1, Bateman does not anticipate claim 10.

j. Claims 16 and 22

Claim 16 depends from independent claim 14, and claim 22 depends from independent claim 20. Claims 16 and 22 each requires the ACD to be able to attach information to the URL. As discussed above, Bateman does not disclose the ACD being capable of attaching anything to the URL. For the above reasons and because claim 16 depends from claim 14 (and because claim 22 depends from claim 20), Bateman does not anticipate claims 16 and 22.

8. CLAIMS APPENDIX.

An appendix containing a copy of the claims involved in the appeal is attached.

9. EVIDENCE APPENDIX.

There was no evidence submitted by applicants and relied on in this appeal.


10. RELATED PROCEEDINGS APPENDIX.

There are no related proceedings.

Respectfully submitted,

29 November 2005

WELSH & KATZ, LTD.
120 South Riverside Plaza
22nd Floor
Chicago, Illinois 60606
(312) 655-1500



L. Friedman
Reg. No. 37,135



CLAIMS APPENDIX

A method of providing data relating to a customer contact with an automatic call distribution (ACD) system to an ACD agent, the method comprising:

providing a universal resource locator (URL) configured by the ACD system to a browser of the agent;

accessing the URL at a server in response to a request from the browser;

providing at least one web page to the browser, the web page corresponding with the URL and including the data;

the data including information about the customer.

2. A method as in claim 1, further comprising accessing via the server at least one database to obtain at least some of the data for inclusion in the web page.

3. A method as in claim 1, further comprising attaching information to the URL before providing the URL to the browser.

4. A method as in claim 3, the information attached to the URL including contact processing information, said contact processing information including at least one of a group consisting of: type of the customer contact, identification of the agent, and treatment of the contact by the ACD.

5. A method as in claim 3, the information attached to the URL including contact-derived information, said contact-derived information including at least one of a group consisting of: a calling party number, a billing number associated with an origin of the customer contact, a telephone number associated with the origin of the customer contact, a subscriber name associated with the origin of the customer contact, a called party number, information provided in response to a programmed script, identification of a customer provided in response to a programmed script, an account number provided in response to a programmed script, a product model number provided in response to a programmed script, an e-mail source name, an e-mail subject line, a callback number provided in a web callback contact, a callback name provided in a web callback contact, and a computer address associated with the origin of the customer contact.

6. A method as in claim 1, wherein the data in the web page includes at least some information attached to the URL by the ACD.

7. A method as in claim 1, further comprising selecting the URL based on information about the contact available to the ACD.

8. A method as in claim 1, further comprising obtaining at least some of the data in the web page based on at least some information attached to the URL by the ACD.

9. A method as in claim 1, wherein the step of providing the URL comprises:

sending the URL to ACD console software of the agent; and

providing the URL to the browser from the console software.

10. A method as in claim 1, wherein the step of providing the URL comprises sending the URL directly to the browser from the ACD system.

11. A method as in claim 1, the server being accessible through at least one of a group consisting of: a publicly accessible computer network, limited-access computer network, and a private computer network accessible within an organization operating the ACD.

12. A method as in claim 1, the customer contact being one of a group consisting of: a telephone call, an e-mail contact, a web callback contact, a web chat contact, a facsimile contact, a video contact, and a web telephony voice contact.

13. A method as in claim 1, further comprising displaying the web page to the agent.

14. A computer system for providing data, relating to a customer contact with an automatic call distribution (ACD) system, to an ACD agent, the computer system comprising:
- the ACD system capable of configuring a universal resource locator (URL);
 - a server capable of providing at least one web page to a browser, the web page corresponding with the URL and including the data;
 - the data including information about the customer;
 - at least one agent station coupled with the ACD system and having a browser capable of accessing the URL at the server.
15. A computer system as in claim 14, further comprising at least one database, accessible by the server for obtaining at least some of the data for inclusion in the web page.
16. A computer system as in claim 14, the ACD being capable of attaching information to the URL.

17. A computer system as in claim 14, the ACD being capable of collecting contact-derived information, said contact-derived information including at least one of a group consisting of: a calling party number, a billing number associated with an origin of the customer contact, a telephone number associated with the origin of the customer contact, a subscriber name associated with the origin of the customer contact, a called party number, information provided in response to a programmed script, identification of a customer provided in response to a programmed script, an account number provided in response to a programmed script, a product model number provided in response to a programmed script, an e-mail source name, an e-mail subject line, a callback number provided in a web callback contact, a callback name provided in a web callback contact, and a computer address associated with the origin of the customer contact.

18. A computer system as in claim 14, the server being capable of obtaining at least some of the data in the web page based on at least some information attached to the URL by the ACD.

19. A computer system as in claim 14, the customer contact being one of a group consisting of: a telephone call, an e-mail contact, a web callback contact, a web chat contact, a facsimile contact, a video contact, and a web telephony voice contact.

20. A computer system of providing data, relating to a customer contact with an automatic call distribution (ACD) system, to an ACD agent, the computer system comprising:

- a server accessible through a computer network;
- at least one agent station having means for accessing a universal resource locator (URL) at the server;
- means for the ACD system to configure the URL;
- means for providing at least one web page to the agent station from the server, the web page corresponding with the URL and including the data;
- the data including information about the customer.

21. A computer system as in claim 20, further comprising

- at least one database; and
- means for accessing the database to obtain at least some of the data for inclusion in the web page.

22. A computer system as in claim 20, further comprising means for the ACD to attach information to the URL.

23. A computer system as in claim 20, further comprising means for the ACD to collect contact-derived information.

24. A computer system as in claim 20, further comprising means for displaying the web page to the agent.

25. A method of providing data, relating to a customer contact with an automatic call distribution (ACD) system, to an ACD agent, the method comprising:

providing a universal resource locator (URL) from the ACD system to a browser of the agent;

configuring the URL based on information about the contact available to the ACD;

attaching information to the URL before providing the URL to the browser;

the information attached to the URL including contact processing information, said contact processing information including at least one of a group consisting of: type of the customer contact, identification of the agent, and treatment of the contact by the ACD;

the information attached to the URL including contact-derived information, said contact-derived information including at least one of a group consisting of: a calling party number, a billing number associated with an origin of the customer contact, a telephone number associated with the origin of the customer contact, a subscriber name associated with the origin of the customer contact, a called party number, information provided in response to a programmed script, identification of a customer provided in response to a programmed script, an account number provided in response to a programmed script, a product model number provided in response to a programmed script, an e-mail source name, an e-mail subject line, a callback number provided in a

web callback contact, a callback name provided in a web callback contact, and a computer address associated with the origin of the customer contact;

accessing the URL at a server in response to a request from the browser;

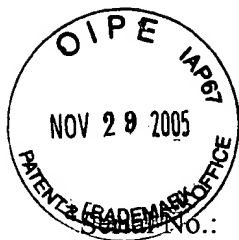
providing at least one web page to the browser, the web page corresponding with the URL and including the data relating to the customer contact;

accessing via the server at least one database to obtain at least some of the data for inclusion in the web page;

obtaining at least some of the data in the web page based on at least some information attached to the URL by the ACD;

including among the data in the web page at least some information attached to the URL by the ACD; and

displaying the web page to the agent.



Patent No.: 09/499,817
Patentee: FISCHER et al.
Title: PROVIDING CUSTOMER DATA TO AN AUTOMATIC CALL
DISTRIBUTION SYSTEM AGENT
Filing Date: 8 FEBRUARY 2000
Docket No. 00EC037-78111

Certificate of Express Mailing

Express Mail mailing label number EV 731142232 US

Date of Deposit: 29 November 2005

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail" to: Mail Stop APPEAL BRIEFS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. This mailing includes Transmittal Form PTO/SB/21 (1 page); Fee Transmittal for FY 2005 Form PTO/SB/17 (1 page); Appellant's Brief on Appeal (22 pages, including Claims Appendix); Check in the amount of \$500.00; and return receipt postcard.

The person mailing this paper is:

Carl Stanley

Typed or Printed Name of Person Mailing Paper of Fee

Carl Stanley

Signature of Person Mailing Paper or Fee